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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 RAYMOND CLARK,

12 Petitioner,

13 v.

14 WARDEN,

15 Respondent.  
16

No. 1:17-cv-00377-JLT (HC)

ORDER TRANSFERRING CASE TO THE  
UNITED STATES DISTRICT COURT FOR  
THE CENTRAL DISTRICT OF CALIFORNIA

17 On March 15, 2017, Petitioner filed a habeas corpus action pursuant to 28 U.S.C. § 2254  
18 in this Court. Because venue is proper in the Central District of California, the Court will order  
19 the petition transferred.

20 The federal venue statute requires that a civil action, other than one based on diversity  
21 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all  
22 defendants reside in the same state, (2) a judicial district in which a substantial part of the events  
23 or omissions giving rise to the claim occurred, or a substantial part of the property that is the  
24 subject of the action is situated, or (3) a judicial district in which any defendant may be found, if  
25 there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

26 In this case, Petitioner is challenging his conviction and sentence from Los Angeles  
27 County, which is in the Central District of California. Venue is therefore proper in the Central  
28 District of California, and the petition should have been filed in the United States District Court

1 for the Central District of California. In the interest of justice, a federal court may transfer a case  
2 filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512  
3 F.2d 918, 932 (D.C. Cir. 1974).

4 Accordingly, the Court ORDERS that this matter is transferred to the United States  
5 District Court for the Central District of California.

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7 IT IS SO ORDERED.

8 Dated: **April 18, 2017**

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE